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**Policy Approver:** Provost

**Policy Steward:** Chief People Officer (For Employees) And Academic Registrar (For Students)

**Supporting Process:**

[Health and Safety Processes](#)

# Child Safety Policy (MPF1337)

## 1. Objectives

1.1. The objectives of this policy are to:

- a) enable the University to comply with relevant legislation and other obligations in relation to child safety;
- b) outline the University's commitment to child safety, which includes the physical, cultural, emotional, and psychological safety of children;
- c) outline appropriate standards of behaviour towards children;
- d) prevent and manage child abuse risks and guide responses to incidents of harm;
- e) empower children by establishing an environment of trust, inclusion and cultural safety that enables them to ask questions and speak up if they have concerns, feel unsafe or have experienced harm; and
- f) outline the process for responding to child abuse concerns and reports.

## 2. Scope

2.1. This policy applies to:

- a) University employees, honorary appointees, University guests, students, volunteers, alumni, University Council members, and members of University bodies (as defined in section 7);
- b) the University's controlled entities (as defined in section 7); and
- c) individuals or organisations (and their officers and employees) who are contractually obliged to comply with this policy.

2.2. Controlled entities must adopt and implement this policy, with appropriate amendments, or a policy which is equivalent to this policy in all material respects.

2.3. For a controlled entity that adopts this policy, references to the University are deemed to be references to the controlled entity, or to both the controlled entity and the University, as the context requires.

2.4. Any person, whether they are a member of the University community or not, can report a child safety concern that is related to the University.

2.5. A concern can be raised about a current incident or one that has occurred at any time in the past.

## 3. Authority

3.1. This policy is made under the [University of Melbourne Act 2009 \(Vic\)](#) and the [Vice-Chancellor Regulation](#) and supports compliance with the:

- a) *Child Wellbeing and Safety Act 200 5* (Vic), including the Child Safe Standards;
- b) *Child Employment Act 200 3* (Vic);
- c) *Crimes Act 1958* (Vic);
- d) Department of Foreign Affairs and Trade Child Protection Policy and Guidance Note;
- e) *Education Services for Overseas Students Act 2000* (Cth);
- f) Victorian Charter of Human Rights and Responsibilities;
- g) *Worker Screening Act 2020* (Vic)

## 4. Policy

4.1. The University is an inclusive and welcoming environment that supports the safety, participation, empowerment and wellbeing of all children. In particular, the University will provide a safe environment for children and:

- a) promote the cultural safety of Aboriginal and/or Torres Strait Islander children;
- b) promote the safety of children from culturally and/or linguistically diverse backgrounds;
- c) promote the safety and inclusion of same sex attracted, intersex and gender diverse children in accordance with the Gender Affirmation Policy ([MPF1364](#)); and
- d) promote the safety of children with a disability to ensure that they can participate equitably.

4.2. The University does not tolerate child abuse in any form, and will:

- a) take a proactive approach to the prevention of child abuse by identifying, removing and/or reducing risks early;
- b) take a proactive approach to identifying and responding to instances of racism and any form of discrimination, harassment and bullying against children;
- c) take action to eliminate and prevent sexual misconduct in relation to children, in accordance with the Sexual Misconduct Prevention and Response Policy ([MPF1359](#));
- d) take all reasonable steps to support and protect a child making a disclosure or the child to whom a concern pertains;
- e) treat all children making a disclosure or to whom a concern pertains with dignity and respect; and
- f) treat all child abuse allegations seriously in accordance with applicable legislative obligations.

4.3. The University is committed to promoting best practices in relation to child safety and will periodically review the effectiveness of this policy, including the procedural principles and revise them as needed.

4.4. The University is committed to ensuring that its employees have access to appropriate professional learning and training opportunities to develop and maintain an understanding of child safety and prevention of harm.

## 5. Procedural Principles

### Child Safe Champion

5.1. The following procedural principles outline appropriate standards of behaviour towards children. The Child Safe Champion is responsible for implementing the standards in section 5.3 throughout the University.

5.2. The Provost is the University's Child Safe Champion.

### General

5.3. All individuals and entities listed in sections 2.1(a) and (b) are responsible for promoting the safety, participation, wellbeing and empowerment of children by:

- a) treating children with respect and developing strategies to embed a culture of child safety;

- b) complying with all relevant laws, regulations, policies including but not limited to the Appropriate Workplace Behaviour Policy ([MPF1328](#)), Recruitment and Appointment Policy ([MPF1152](#)), Student Conduct Policy ([MPF1324](#)), Sexual Misconduct Prevention and Response Policy ([MPF1359](#)), and University processes and guidelines;
- c) ensuring that children, including those from culturally and/or linguistically diverse backgrounds, have access to child safety information and support in ways that are culturally safe, accessible and easy to understand;
- d) obtaining appropriate consent in writing, and retaining appropriate records of the consent, from parents/legal guardians for their children to participate in all University activities;
- e) retaining appropriate records of child employment supervision arrangements for at least 5 years;
- f) informing the University, via the Safer Community Program, of any child safety or wellbeing concerns, instances of suspected child abuse or neglect in accordance with sections 5.8-5.13;
- g) complying with any child safety training, registration or accreditation requirements which may be relevant to their duties or activities;
- h) encouraging and providing the mechanism for children to raise concerns and issues and to express their views and participate in decisions affecting them; and
- i) engaging with families and communities in the design and operations of our activities where practicable and reasonable to do so.

## **Breach of this policy**

5.4. The University is committed to supporting individuals who experience breaches of this policy. Consequently, a review under clause 1.39.3.5 of the Enterprise Agreement is not available in respect of serious misconduct arising from a finding that an employee has breached this policy.

## **Child abuse**

5.5. Child abuse is not tolerated by the University. All individuals covered by this policy must avoid actions or behaviours deemed to be child abuse and have a positive duty to avoid:

- a) using language or behaviour towards children or in the presence of children that is inappropriate, harassing, abusive, sexually provocative, grooming, discriminatory, disrespectful, demeaning or culturally inappropriate;
- b) exploiting or harassing children in any way;
- c) engaging in unauthorised personal contact with children, including through social networking sites;
- d) developing special relationships that could be seen as favouritism or grooming behaviours; or
- e) physical and emotional harm being caused to children by other children.

5.6. All individuals and entities listed in sections 2.1(a) and (b) must immediately inform the University of any concerns or allegations of child abuse or non-compliance with this policy in accordance with the process set out under sections 5.8-5.13.

5.7. A failure to comply with sections 5.5 or 5.6 may constitute a criminal offence and result in serious penalties.

## **Responding to and reporting child abuse**

5.8. The University's Child Safety Officer is responsible for establishing and implementing processes for responding to and reporting suspected child abuse in accordance with the Reportable Conduct Scheme, mandatory reporting requirements (where applicable) and other applicable reporting requirements around child safety.

5.9. In the first instance, all concerns must be immediately reported to the Safer Community Program (or University Security if after hours) who, in consultation with the Child Safety Officer, and where applicable, will contact relevant child safety and law enforcement agencies. Additional reporting obligations apply to individuals involved in Australian Aid Projects (see section 5.25 below).

5.10. The University is committed to implementing processes and practices for raising child safety concerns that are child friendly and easily accessible to children, their families, and the University community.

5.11. Individuals and entities listed in section 2.1(a) and (b) may be subject to mandatory reporting or disclosure obligations while carrying out University business including, but not limited to, registered medical practitioners, nurses, midwives, registered teachers, school principals, out of home care workers, early childhood workers, registered psychologists and youth justice workers. Individuals who are subject to mandatory reporting obligations must be aware of these obligations whilst carrying out University business and must report their concern to the University's Safer Community Program in the first instance.

5.12. University employees must create and keep accurate records relevant to child safety and wellbeing, including recording incidents, responses and decisions affecting children. Records must be created and maintained in accordance with the Records Management Policy ([MPF1106](#)).

5.13. The Safer Community Program, in consultation with the Child Safety Officer, may seek advice from appropriate Aboriginal and/or Torres Strait Islander agencies in relation to child safety matters involving Aboriginal and/or Torres Strait Islander children.

## Working with Children Checks

5.14. In order to comply with the *Child Wellbeing and Safety Act 2005* (Vic) and Victorian Child Safe Standards, the University:

- a) requires all employees to hold a valid [Victorian Working with Children Check](#) (WWCC); and
- b) has discretion to require independent contractors, volunteers, Honorary appointees, University guests and students to hold a WWCC.

5.15. In complying with section 5.14(a), the University will ensure that in recruiting and appointing employees, position descriptions and Job advertisements clearly demonstrate the University's commitment to child safety and awareness of its social and legal responsibilities, and the requirement to hold or obtain a valid WWCC.

5.16. All WWCCs required under this policy will be managed and monitored by Business Services or an external provider on behalf of the University. All personal, sensitive and health information ('personal information') collected as part of undertaking such checks must be handled in accordance with the University's Information Security Policy ([MPF1270](#)), the Privacy Policy ([MPF1104](#)), and the Appropriate Workplace Behaviour Policy ([MPF1328](#)), the Records Management Policy ([MPF1106](#)) and applicable privacy legislation.

5.17. Where a person required by this policy to obtain a valid WWCC refuses to apply for a WWCC, or is not successful in obtaining one, this may affect their engagement by the University or the conditions of their engagement.

5.18. Where an employee refuses to apply for a WWCC, this may be grounds for disciplinary action, up to and including termination of employment.

5.19. Where an employee applies for a WWCC but is not successful in being granted a worker screening clearance, this may be grounds for termination of employment.

5.20. The circumstances listed in sections 5.17 - 5.19 above will be managed on a case by case basis by Workplace Relations in conjunction with those responsible for undertaking the WWCC on behalf of the University, in discussion with the person's direct manager and the relevant HR Business Partner, as applicable.

## Training and supervision

5.21. University employees and volunteers must receive an appropriate induction and must be made aware of their responsibilities to children and young people, including record keeping, information sharing and reporting obligations.

5.22. University employees and volunteers must complete the required child and cultural safety training where directed to do so.

5.23. The supervision and management of University employees and volunteers is focused on child safety and wellbeing where relevant.

## Research

5.24. All individuals and entities covered by this policy under sections 2.1(a) and (b) who conduct research with, or relating to, children, must ensure that:

- a) the research ethics principles outlined in the [National Statement on Ethical Conduct in Human Research](#) of merit, integrity, justice and beneficence and respect are applied to the research;
- b) appropriate approvals are obtained for the activity prior to the commencement of research, including appropriate ethical approvals, and that the conditions of any approvals are adhered to during the course of the research;
- c) in addition to the requirement to obtain a valid WWCC, all those involved in the research may be subject to additional screening to ensure that they are fit and proper persons, in accordance with regulatory requirements, prior to the person commencing work on the project; and
- d) any ethical approvals for human research obtained outside the University of Melbourne are formally registered with the University through the relevant human research ethics process.

## Child Protection in Australian Aid Projects

5.25. The University recognises that there are potential risks to children arising from the management of Australian Aid Projects (as defined in section 7). All individuals who are involved in such projects must comply with the obligations set out in *Guidelines for Child Protection in Australian Aid Projects* (see [Schedule A](#)) and sign the *Child Protection in Australian Aid Projects – Code of Conduct* (see [Schedule B](#)) before any involvement in such projects.

## Privacy, technology and social media

5.26. All individuals and entities covered by this policy under sections 2.1(a) and (b) must protect the privacy of children and their families in accordance with the Privacy Policy ([MPF1104](#)) and the Provision and Acceptable Use of IT Policy ([MPF1314](#)).

5.27. All individuals and entities covered by this policy under sections 2.1(a) and (b) must ensure that technology and social media are used appropriately in connection with children, including by:

- a) obtaining all necessary approvals from parents, guardians, or otherwise in accordance with relevant processes and guidelines including appropriate storage and record keeping;
- b) ensuring that any use of technology and social media by the University in undertaking its activities is not detrimental to the child or harmful to the child's safety; and
- c) presenting children in a dignified and respectful manner.

5.28. Any member of the University community and the University's controlled entities who photographs, records the voice and/or image of children, or uses photographs and/or recordings of children's image or voice, for study or work-related purposes must:

- a) provide an appropriate notice and obtain informed consent directly from the child, where they have capacity to provide it, or from a parent or guardian of the child.
- b) ensure that the content and purpose of the photographs, film and recorded or video material are appropriate in accordance with section 5.27 and align with any notice or consent relied upon in collecting information; and
- c) act in accordance with all relevant processes, guidelines and operating rules, including (where applicable) the University's social media guidelines, and the Information Security Policy ([MPF1270](#)), and Provision and Acceptable Use of IT Policy ([MPF1314](#)).

## International students

5.29. The University is responsible for ensuring that appropriate accommodation, support and general welfare arrangements are made to protect the personal safety and wellbeing of any child who is:

- a) currently enrolled in a University course, subject or program as an international student; and
- b) not being cared for in Australia by a parent or a suitable nominated relative.

## Child employment

5.30. The University and the University's controlled entities must hold and comply with the appropriate child employment licence under the *Child Employment Act 2003* (Vic) to engage a child under the age of 15 to perform work, whether paid or unpaid. There are two kinds of licence: an entertainment licence that applies to work in the performing arts, and a general licence that applies to all other work.

5.31. As a condition of the licence, the University or controlled entity must ensure that:

- a) the work does not adversely affect a child's education, health, safety, wellbeing or development;
- b) the child is supervised at all times by a supervisor holding a valid WWCC who is 18 years of age or older;
- c) for the entertainment licence only, the child is not subjected or exposed to any behaviour, acts or circumstances that:
  - i. unnecessarily socially isolates the child; or
  - ii. is likely to intimidate, threaten, frighten or humiliate the child; or
  - iii. otherwise depicts or deals with adult themes, including nudity, sex, cruelty, violence or drug misuse;
- d) for the entertainment licence only, comply with the Mandatory Code of Practice for the Employment of Children in Entertainment (or any other applicable Code, laws or regulations); and
- e) a record is maintained of the dates, times, hours and locations that a child performs work.

## 6. Roles and Responsibilities

Role/Decision/Action	Responsibility	Conditions and limitations
<p>Act as the University's Child Safety Champion.</p> <p>Oversee the effectiveness of the implementation of this Policy at the University.</p> <p>Champion a child safe culture at all levels of the organisation through ensuring all University employees, volunteers and contractors (where relevant) receive appropriate induction and training on child safety, on a mandatory and ongoing basis.</p>	<p>Provost</p>	

<p>Notify the Commissioner for Children and Young People of any reportable allegations under the Reportable Conduct Scheme</p>	<p>Director, Student Services, Student &amp; Scholarly Services</p>	
<p>Ensure appropriate resources are allocated within academic divisions to implement processes, systems and tools for ensuring child safety in relation to local faculty activities.</p>	<p>Deans</p>	
<p>Establish and continually review the processes, tools and systems for mitigating risk of harm to children connected to all non-research university activities.</p>	<p>Academic Registrar</p>	
<p>Establish internal processes for reporting and responding to suspected child abuse.</p>	<p>The Provost (as the University's Child Safety Champion), and the Director, Student Services, Student and Scholarly Services (in relation to the Reportable Conduct Scheme).</p>	
<p>Establish and continually review the processes, tools and systems for mitigating risk of harm to children connected to research university activities.</p>	<p>Director, Office of Research Ethics and Integrity</p>	
<p>Establish internal processes for updating Wage Inspectorate Victoria on each instance of child employment.</p>	<p>Employment Compliance Advisor</p>	



Comply with their obligations under this policy while undertaking the management of Australian Aid Projects.	Project supervisors (in Australian Aid Projects)	
Establish and continually review the processes, tools and systems for mitigating risk of harm to children connected to University Museums and Collections.	Director, University Museums and Collections	
Implement and continually review the University's Working with Children Check Program and other related employee screening processes aimed at keeping children safe.  Embed appropriate wording to demonstrate the University's commitment to Child Safety into all templates used for recruiting new employees.	Director, <a href="#">HR</a> Services	
Ensuring the security of both physical and IT infrastructure across all <a href="#">UoM</a> campuses to mitigate risk of harm to children in physical and online University environments.	Executive Director, Business Services and Chief Technology Officer	

## 7. Definitions

**Aboriginal and/or Torres Strait Islander child** means a person under the age of 18 years who:

- a) is of Aboriginal and/or Torres Strait Islander descent;
- b) identifies as Aboriginal and/or Torres Strait Islander; and
- c) is accepted as Aboriginal and/or Torres Strait Islander by the community in which they live or have lived.

**Australian aid project** means a project involving children undertaken by the University that uses funds or aid provided by the Australian government (through the Department of Foreign Affairs and Trade, DFAT) for international development .

**Child** means a person who is under the age of 18 years.

**Child abuse** means any act committed against a child involving:



- a) physical violence (including threats of physical violence)
- b) sexual abuse
- c) serious emotional or psychological abuse; or
- d) serious neglect.

**Child employment** means:

- a) a child performs work under a contract of service or a contract for services (whether written or unwritten); or
- b) a child performs work, other than under a contract and whether or not the child receives payment or other reward for performing that work; and
- c) the work the child performs is for the benefit (financial or non-financial) of the University or its controlled entities; and
- d) the child is subject to directions about how the work is performed.

**Child protection** means an activity or initiative designed to protect children from any form of harm, particularly arising from child exploitation and abuse.

**Child safety** , in the context of this policy, means measures to protect children from child abuse, neglect or any form of cultural, emotional, psychological or physical harm.

**Children from culturally and/or linguistically diverse backgrounds** means a child who identifies as having particular cultural or linguistic affiliations by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home or because of their parents' identification on a similar basis.

**Concern** may include an allegation, complaint or concern regarding the psychological, physical, emotional or cultural wellbeing and safety of a child.

**Controlled entities** has the same meaning as in the Controlled Entities Policy [MPF1376](#) .

**Cultural safety of Aboriginal and/or Torres Strait Islander children** means the positive recognition and celebration of Aboriginal and/or Torres Strait Islander cultures. It is more than just the absence of racism or discrimination, and more than cultural awareness and cultural sensitivity.

**Cultural safety of children from culturally and/or linguistically diverse backgrounds** means an environment which is spiritually, socially and emotionally safe, as well as physically safe for children; where there is no assault, challenge or denial of their cultural or linguistic identity, of who they are and what they need.

**Honorary appointee** has the meaning given in section 5 of the [University of Melbourne Statute](#) . An honorary appointee is not an employee or a University guest.

**Report** means a report made by the University's Child Safety Officer to the relevant Government Agency or authority following the receipt and consideration of a complaint or concern.

**University bodies** has the same meaning as 'University body' in section 5 of the University of Melbourne Statute.

**University guest** , formerly known as a visitor, is a person who is invited to attend the University for a period between 2 weeks and 12 months, for the purpose of making a direct contribution to academic or other programs in the University. A University guest is not an employee or an Honorary appointee.

**Volunteer** means an individual who volunteers their time to the University on an unpaid basis, other than an Honorary appointee or University guest.

## **POLICY APPROVER**

The Provost

## POLICY STEWARD

The Academic Registrar (for students) and the Chief People Officer (for employees and other individuals covered by this policy)

## REVIEW

This policy is to be reviewed by 22 August 2025.

## VERSION HISTORY

Version	Approved By	Approval Date	Effective Date	Sections Modified
1	Provost	30 January 2017	1 January 2017	New policy to comply with Victorian Child Safe Standards requirements.
2	Director, Students and Equity	7 March 2017	7 March 2017	Editorial amendment to sections 3 and 5.7 to include the <i>Working with Children Act 2005</i> (Vic) and new DFAT Child Protection Standards.
3	Director, Students and Learning	16 October 2019	28 October 2019	Editorial amendments to fix broken link at 5.10 (c) and update titles.
4	Provost	26 July 2022	22 August 2022	Major review cycle completed, policy aligned with recent Victorian Child Safe Standards coming into effect.

5	Policy Officer			Amended discrepancy in policy steward in metadata.
6	Policy Officer	30 November 2022	30 November 2022	Amended formatting errors.
7	Provost	27 May 2024	30 May 2024	Amendments to ensure compliance with Victorian Child Safe Standards and legislation, and to incorporate content from the former Child Protection for Australian Aid Projects Procedure (MPF1266). Introduction of Schedule 1 and Schedule 2.
8	Provost	27 May 2024	30 May 2024	Steward amended from Academic Registrar to Chief People Officer (for employees) and Academic Registrar (for students) in line with amendments approved on 27 May 2024.

9	Policy Officer	6 August 2024	7 August 2024	Editorial amendment to sections 3, 5 and 7 to rephrase reference to Aboriginal and/or Torres Strait Islander children.
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